IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

Writ Petition No.8342 of 2004

Mah Suraksha Rakshak Mahasangh....petrs
vs
The Security Guards Board and ors.. respondents

Mr.Susheel Mahadeshwar for petitioners
Mr M S Topkar for respondent no.l
Mr. R.S.Pai for respondent no. 2

CORAM:A.P.SHAH & S.C.DHARMADHIKARI JJ.
Dated l5.l0.2004

P.C:

l. Heard Mr. Mahadeshwar for the petitioners, Mr Topkar for the respondent no.l, Mr. Pai for the respondent no.2 bank.

2. This petition is filed on behalf of the Security Guards whose names are listed at Exh A for various reliefs in accordance with the provisions of Maharashtra Private Security Guards (Regulation of Employment and Welfare) Act, l98l and the scheme framed thereunder.

3. The learned counsel appearing for the petitioners drew our attention to various provisions of the Act and the decision of the Division Bench of this court in Maharashtra Suraksha Rakshan Aghadi and anr vs State of

Maharashtra and anr (2002) 4 Mah L J 758

4. It is not disputed before us that for getting benefits under the said Act the Security Guards must get themselves registered with the Security Guards Board for Gr Bombay and Thane i.e. respondent no.l. The learned counsel appearing for the petitioners contended that concerned security guards will make appropriate application for registration with respondent no.l Board. Such an application should made within two weeks from today. The Board will consider the same and take appropriate decision in accordance with law, keeping in mind the provisions of the Act and the scheme as amended from time to time.

5. It appears that respondent no.2 bank had made an application in respect of Belapur Branch of the bank for registration under Security Guards Scheme and the bank is allotted Registration No l850 for its Belapur Branch. It is therefore not open to the bank to engage the security guards through respondent no. 3 security guards agency. However, the bank may employ security guards directly in accordance with the service regulations in which case respondent no. 2 bank would furnish names of employees so appointed to the Security Guards Board

within four weeks thereof. The respondent no. 2 is also at liberty to engage the security guards through the respondent no.l if so advised. In case respondent no. 2 desires to engage the services of security guards from the Board the Board while allotting the guards will keep in mind that the security guards whose names are shown at Exh A were working with respondent no. 2 and will try to accommodate them in the said establishment, subject to verification

Rule is made absolute in terms of the order abovementioned. Certified copy expedited.